



# United States Department of the Interior

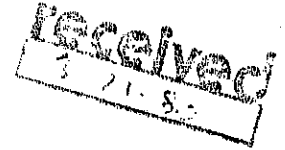
BUREAU OF LAND MANAGEMENT

Eureka Resource Area  
1585 J Street  
P.O. Box 11  
Arcata, California 95521

IN REPLY REFER TO

Trinidad Head  
CA 13093  
CA-056

3-16-83



Mr. Richard C. Rayburn  
District Manager  
California Coastal Commission  
P.O. Box 4946  
Eureka, California 95501

Dear Sir:

As you know, over the last few months the Bureau of Land Management has been processing an application from the City of Trinidad for transfer of approximately 47 acres of federal public land at Trinidad Head.

This public land parcel has been withdrawn from sale, disposal or entry and location under the public lands laws since the mid-1850's for Coast Guard purposes of lighthouse and coastal navigational aide. Approximately 12 acres of the land area will remain under Coast Guard withdrawal for continued use in that agency's mission regarding northern coastal California and adjacent waters.

The B.L.M. accepted the City of Trinidad application in November of 1982 and issued a formal decision on December 21, 1982 whereby the City's plan of development and management plan was approved by B.L.M. under the authority of the Recreation and Public Purposes Act of 1926 as amended.

I have provided you with copies of the decision, environmental analysis, land report, and the City's plan of development and management.

Several germane factors apply to this transfer from federal public ownership to City of Trinidad ownership for park and recreational purposes only. One key factor is that the California Coastal Commission adopted the Trinidad Local Coastal Plan in October 15, 1982. Page 3-37 of that document states the City of Trinidad should assume management if the federal government determines Trinidad Head surplus. Another factor is the application and attendant plan of development and management has had a 45 day public review by all state, federal, and local agencies in accordance with regulations prescribed by 43 CFR Part 2741 and 43 CFR Part 2450. These regulations deal with the specific authority of the Recreation and Public Purposes Act and the Petition Application Classification System respectively.

As a result of the public review, the Humboldt County Board of Supervisors adopted a resolution of the proposal, only one protest was received and found to be without merit by BLM, and in general support for the action is widespread throughout the North Coast community.

I provide these facts as background for the purpose of a consistency determination as regards the Bureau of Land Management decision to transfer the land in accordance with the approved plan of development and management by the City of Trinidad.

2

I also assume by this action the Coastal Commission will, in its determination of consistency act on the plan of development and management of the City thereby negating any formal application by the City for a coastal permit. I bring this matter up because if any modifications to the plan as submitted and approved by the Bureau as a result of future actions these must be, in accordance with federal law and regulations promulgated thereto, approved by the Bureau.

In sum, I hope we agree that a "paper chase" can be resolved in this one action of consistency determination.

As to the consistency of the federal action with the California Coastal Plan as stated in the approved Trinidad Area Plan we find the following:

A. Public Access and Recreation

Several of the Coastal Act policies address these factors. We find the action and the plan of development and management to be consistent with the following Coastal Act Policies:

1. Section 30210
2. Section 30211
3. Section 30212
4. Section 30213
5. Section 30221

B. Marine Environment and Sensitive Habitat

The plan of development and management are consistent with the following Coastal Act policies:

1. Section 30231 -  
No impact on coastal waters or wetlands is involved.
2. Section 30233 -  
No dredging, diking or filling is involved.
3. Section 30240 -  
No environmentally sensitive habitat will be affected or degraded. The plan calls for trail and overlook development by foot access only (i.e. non-vehicular traffic). No threatened, rare, or sensitive species were found during the field examination and E.A. preparation.

C. New Development (Including Archaeology, Visual, Hazards, etc.)

The action and plan, as approved, is consistent with the following:

1. Section 30250 -  
The plan is not for commercial, residential, or industrial development, but is for recreation and public access by trail. No buildings will be constructed, except possibly shelters which entrance views of the harbor or ocean. Picnic tables will be

placed and refuse receptables placed and pickup routinely by city employees. Trail construction overlooks, etc. will be labor intensive and conform to the landscape and contour of the area.

A qualified archaeologist examined the site and during construction of trails the B.L.M. will include a provision for qualified archaeologist to be on site or on call if any cultural resources are encountered.

Visual impacts are minimal as most area proposed for development are now developed, i.e. TV satellite disc, radio antenna, granite cross, roads, and overhead powerlines.

Public utilities are available and in place in the form of water, power, phone, paved and gravel roads to the top of the Head. These provide necessary services and maintenance access for the Coast Guard facilities.

3. Section 30244 -

Mitigation measures are included to prevent damage to archaeological and/or historic resources.

4. Section 30251 -

Views to the ocean, harbor, and northern coastal shoreline will be enhanced by the project for the general public on a non-discriminatory basis as required by federal law.

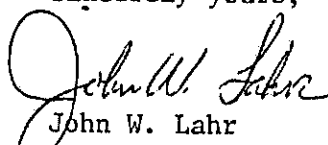
5. Section 30253 -

The area is subject to seismic shaking as it lies within one of the most earthquake prone areas of the world - however, the Head has withstood the most severe earthquakes and erosional forces for literally millenia. Trail development and overlooks will be designed to minimize soil erosion.

In conclusion, we find the action - including the plan of development and management - is fully consistent with the California Coastal Act and local Trinidad Area Plan.

I would appreciate a prompt response to this as we plan to issue the patent deed to the City in mid-April.

Sincerely yours,

  
John W. Lahr  
Area Manager

**CALIFORNIA COASTAL COMMISSION**  
631 Howard Street, San Francisco 94105 — (415) 543-8555

Consistency Determination  
No. CD-6-83  
(Bureau of Land Management)  
45th Day: May 1, 1983

Federal  
Agency:

BUREAU OF LAND MANAGEMENT

Development  
Location:

Trinidad Head, immediately southwest of the City of  
Trinidad, Humboldt County. (Exhibit 1)

Development  
Description:

Transfer of 47 acres of Federal property to the City of  
Trinidad for public recreation. (Exhibits 2 and 3)

SUBSTANTIVE FILE DOCUMENTS:

1. Environmental Assessment/Land Report on City of Trinidad application for acquisition of Trinidad Head, by Bureau of Land Management (BLM), December 21, 1982 (Serial No. EA #512).
2. Letter from John W. Lahr (BLM Eureka Resource Area Manager) to Richard G. Rayburn (North Coast District Director, Coastal Commission), March 16, 1983, containing BLM's consistency determination for Trinidad Head property transfer, including application by City of Trinidad to require ownership of Trinidad Head, November, 1982.
3. Land Use Plan for the Trinidad segment of the Humboldt County LCP (certified in part by the Coastal Commission in October, 1982).
4. Certified LCP for City of Trinidad.

## STAFF SUMMARY AND RECOMMENDATION

### I. Staff Summary


A. Project Description. The Bureau of Land Management (BLM), an agency in the U.S. Department of Interior, proposes to transfer 47 acres of federal land at Trinidad head to the City of Trinidad (Exhibit 2). The City intends to annex the property and manage it as a recreational area for hiking and other low-intensity recreational uses. About 14 acres of Trinidad Head will remain under federal ownership for the existing U.S. Coast Guard facility. The Coast Guard maintains a light beacon, fog horn, radio antennas, and residence for staff on the southern end of the Head.

BLM's proposed transfer is pursuant to the Recreation and Public Purposes Act (43 USC § 869 et seq.) and relevant federal regulations (43 CFR Part 2740). These regulations specify the procedure for sale or lease of land by the Secretary of Interior, and limit uses and further transfer of title by grantees. The City of Trinidad applied to BLM in November, 1982, to acquire Trinidad Head for non-intensive recreational use. The stated purpose of the City's acquisition is "to make available to the people forever, for their inspiration and enjoyment, in a condition of unimpaired ecological integrity, the majestic headland known as Trinidad head, together with all related scenic, historic, scientific, and recreational values and resources of the area."

In recommending approval of the City's application, BLM's District Manager made several findings required under the Recreation and Public Purposes Act (item V.B. in Environmental Assessment/Land Report):

- (1) The lands have been found to be suitable for recreation and public purposes.
- (2) The land is not of national significance and not essential to any Bureau of Land Management program.
- (3) The proposed use will have no known significant effect on the human and national environment.
- (4) Patenting the above described lands will serve the public interest.
- (5) The [City's] land use plan is proposed for amendment to allow for the proposed use.

The approval recommendation also includes a patent reservation and stipulations for use of the property to be transferred to the City. A right-of-way across the property will be reserved by the federal government for access and utilities to the retained property to be managed by the Coast Guard. Two stipulations would be binding upon the City:

- 
- (1) Waterbars, outsloping and rock barriers should be used, where appropriate, to reduce erosion, runoff and trail maintenance.

- (2) After the vegetation is removed and prior to any construction [primarily trails and vista points], those areas not previously surveyed for cultural values shall be surveyed by a qualified archaeologist. If cultural resources are discovered during any phase of construction, the holder shall immediately notify the Authorized Officer at 555 Leslie Street, Ukiah, California 95482. The holder shall not disturb such resources except as may be subsequently authorized by the Authorized Officer. The Authorized Officer will evaluate or have evaluated any cultural resources discovered and will determine if any action may be required to protect cultural resources discovered.

The patent reservation and the stipulations would be part of BLM's patent deed to the City, and are considered to be part of BLM's project for the purposes of the Commission's federal consistency review. The patent deed would also include a reversionary clause, stating that the property would revert to the U.S. government if the grantee (City) did not use the property for its approved and intended use, tried to transfer title to another party, or otherwise violates the conveyance agreement. Any subdivision of the property would constitute a significant change in the project for purposes of the Commission's consistency review.

The City's development plan proposes non-intensive recreational use of the Head, including hiking, viewing, picnicking, and associated day-use activities. The plan calls for new foot trails, to be constructed as much as possible along natural contours to avoid soil and vegetation disturbance. Picnic areas and observation points would be sited in level areas where opportunities for observing scenic and biological resources are maximized (Exhibit 3). Only Coast Guard vehicles would be allowed on the parcel. Public parking would be available on an adjacent parcel north of the Head. Local citizen groups and local government agencies will develop and maintain the proposed improvements, scheduled to be completed in 1985.

It is important to precisely identify the project that is the subject of the Commission's federal consistency review in this instance. BLM's consistency determination addresses both the proposed transfer of federal property and the specific development plan proposed by the City. This is because federal regulations require the preparation of a development plan by the grantee as a condition of transfer. BLM must approve the plan and monitor its implementation; failure to carry out the approved plan can cause title to revert to the federal government. However, the Commission should only review BLM's consistency determination as it concerns the proposed transfer of federal property to a particular party (the City of Trinidad) for a particular use (low-intensity recreational use). This is what is meant by "the project" in the following description and recommended findings. The City, not BLM, will administer and manage the property after the transfer. The City's development plan, while necessary to obtaining title from the federal government, is more fittingly reviewed for conformity with the Coastal Act in the coastal permit process, either at the same time or following Commission review of BLM's consistency determination.

B. Site Description. Trinidad Head is a rocky headland near the City of Trinidad, about 17 miles north of Eureka in Humboldt County (Exhibit 1). The shoreline in this portion of the County is magnificent, including rocky points, offshore rocks, sea stacks and islands, narrow rocky beaches on rock reefs, and small sand and gravel pocket beaches below high bluffs. The shoreline is generally accessible only by steep and occasionally hazardous trails. The Head is immediately southwest of Trinidad, an incorporated city with a population of about 380 (Exhibit 2). The local economy is based on timber, fishing, and tourism. Trinidad harbor and pier, east of the Head, attracts a sizeable number of commercial and recreational fishermen during the salmon season (May through July). Several nearby parks provide recreation opportunities for residents and visitors, including Patricks Point State Park (6 miles north), Little River State Beach (4 miles south), and Trinidad State Beach (only about  $\frac{1}{2}$  mile north of the Head).

Trinidad Head itself is connected to the mainland by a neck of land. A gravel road provides access for the U.S. Coast Guard Station on the southern end of the Head (Exhibit 3). The Coast Guard maintains a fog horn, light beacon, staff housing, and radio antennas on the Head. A cable TV antenna is also located on the Head. Most of the Head is covered in dense vegetation, including coyote brush, California blackberry, ceanothus, brush monkey flower, cow parsnip, and salal. The dense brush provides habitat for foxes, raccoons, skunks, rabbits, rodents, salamanders, and reptiles. The Head is also a good viewing point to watch marine mammals such as California and Stellar sea lions, elephant seals, and gray whales during their migration. Consultation with local Indians, the Yuroks, reveals that the Head is and was of cultural significance, although a limited archaeological survey did not find any cultural resources.

C. Federal Consistency Determination. The Bureau of Land Management has prepared a consistency determination for the proposed transfer of federal land to the City for non-intensive recreational use (March 16, 1983, letter from BLM Area Manager John W. Lahr to Richard Rayburn). Federal regulations identify acquisition, utilization, or disposal of land or water resources as a federal development project, for which a consistency determination must be prepared (15 CFR 930.31(b), emphasis added). BLM's consistency determination addresses both the action transferring federal land and the City's development plan for the property. Strictly speaking, the Commission is reviewing at this time only the proposed transfer action, including the receiving agency and the proposed use, with regard to consistency with California's coastal management program. The City's development plan can then be reviewed as a coastal development permit application.

\* The consistency determination states that the project is consistent with the access and recreation policies of the Coastal Act. It states that the project will have no effect on marine resources or environmentally sensitive habitat. It notes that the project is consistent with Section 30250 regarding new development, since no buildings are proposed and the recreational use has priority under the Coastal Act. It states that views of the harbor, ocean, and shoreline will be enhanced by the project. It concludes that the project is fully consistent with the California coastal management program (including the certified LCP for most of the adjacent City of Trinidad).

## II. Staff Recommendation

The staff recommends that the Commission adopt the following resolution:

The Commission hereby concurs with the consistency determination made by the Bureau of Land Management for this project, that the proposed transfer of federal land (including the proposed grantee and use) is consistent to the maximum extent practicable with the California Coastal Management Program.

## III. Findings and Declarations

The Commission finds and declares as follows:

A. Public Access. The primary access points in the Trinidad area are at Trinidad State Beach to the north, Trinidad harbor and pier, Indian Beach east of the pier along the Trinidad Bay shore, and a small beach north of Bay Street. A trail system in the City links the harbor and bluff areas to several vertical access trails further south of Trinidad. The harbor area is heavily used by fishermen in the summer season. The transfer of land to the City for recreational use will increase public access to a highly scenic coastal headland and will represent a major expansion of access opportunities in this area. Several Coastal Act policies address access. Section 30210 states that maximum public access to the sea must be provided. Section 30211 prevents new development from interfering with existing public accessways. Section 30212 requires that access to and along the coast be provided in new development projects. Because of the project's emphasis on providing new access, it is consistent with these sections. Access at Trinidad Head should emphasize trails and view points rather than shoreline access, due to the steep terrain, heavy vegetation, and related public safety and erosion considerations.

Visitor parking for the project could be inadequate, depending on the level of use by the public. Two privately-owned parking areas are now available in the site vicinity -- along Bay Street (about 60 cars) and northwest of Bay Street (about 40 cars). The first area is sometimes full during the summer months, due to the influx of fishermen. Cars and boat trailers congest the parking area and local streets. The second area is further from the harbor area but is used by beachgoers to some extent. Section 30212.5 encourages parking and other public facilities to be distributed throughout an area to avoid impacts of overcrowding and overuse. Policy 56 of the certified City of Trinidad LCP reserves a portion of the second parking area for non-harbor users. This would be the primary parking area for project users, since steep slopes, heavy vegetation, and visual constraints would preclude the development of any significant on-site parking. A coastal trail northeast and southeast of the Head is designated in the City's LCP. To the southeast, an existing trail follows the shoreline to Parker Creek; to the northeast, the trail system is being extended to the College Cove area of Trinidad State Beach. These trails would provide visitors an alternative to nearby parking. Demand for parking will depend on the project's popularity and improvements. However, at nearby Trinidad State Beach, the 80-car lot is usually less than half-full in the summer. Parking for the project should be adequate, given the low-intensity recreational uses proposed and the above-noted LCP provisions. Specific demand projections and provisions for parking should be part of the City's coastal development permit application.



B. Recreation. There are several existing recreational facilities in the Trinidad Area. Patricks Point State Park is 6 miles north, Little River State Beach is 4 miles South, and Trinidad State Beach is about  $\frac{1}{2}$  mile north of Trinidad Head. Trinidad harbor, including a fishing pier, parking area, bait shop, restaurant, and boat launch facility, is located immediately north-east of the project. Section 30213 of the Coastal Act promotes lower-cost visitor and recreational facilities. Section 30221 gives priority to recreational uses on oceanfront land, unless already provided for in the area. The project is intended to provide new recreational opportunities at Trinidad Head, including trails, vista points, and picnic areas. Given this overall intent, the project is consistent with Sections 30213 and 30221.

C. Marine Resources. The shoreline in the vicinity of Trinidad is very rugged, and includes rocky points, offshore rocks, sea stacks and islands, narrow rocky beaches, rock reefs, and small sand or gravel beaches below high bluffs. Offshore rocks provide nesting areas for birds, and the rocky beaches are noted for prolific tidepool communities of significant scientific value. The sea stacks serve as haul-out areas for California and Stellar sea lions. Harbor seals, elephant seals, and gray whales can be observed from the Head. The project will not interfere with these valuable marine resources, and is thus consistent with Section 30230 and 30233 of the Coastal Act.

Section 30231 requires that developments maintain biological productivity and water quality. Trail construction and other improvements have the potential to increase erosion rates. To minimize potential erosion effects, BLM will stipulate, in its conveyance of the property, that erosion control measures are to be used in constructing project improvements. Given this mitigation measure and the low intensity of use proposed, the project is consistent with Section 30231.

X D. Environmentally Sensitive Habitat Areas. Vegetation on Trinidad Head belongs to the north coastal scrub community. Commonly found plants include coyote brush, California blackberry, ceanothus, and brush monkey flower. The dense brush on the Head provides habitat for foxes, raccoons, skunks, rabbits, other rodents, salamanders, and reptiles. BLM's environmental assessment notes two potentially rare plant species -- black crowberry (*Empetrum hermaphroditum*) and bird rock goldfields (*Lasthenia minor*, ssp. *maritima*) could occur on the site, but have not been identified. Black crowberry is listed as "rare" by the Native Plant Society but is not on any state or federal species list. The second plant was recently removed from all plant species lists due to its wide range. Section 30240 of the Coastal Act protects sensitive habitat areas against any significant disruption of habitat value. Because no environmentally sensitive habitat has been identified on the project site and because the project will have minimal effects on site habitat, the project is consistent with Section 30240.

E. New Development. Trinidad Head borders Trinidad's city limits. The City provides water service in and adjacent to its incorporated area, although it usually makes annexation a condition of providing service. On-site septic systems are the prevalent method of wastewater disposal. Water, electricity, and phone lines connect the Coast Guard facility on Trinidad Head to the town.

Vehicular access is along a gravelled road branching off Bay Street. The City has stated its intention to annex the Head if BLM transfers the property.

Both the City's LCP and the Trinidad Area segment of Humboldt County's LCP propose recreational use for the Head if it is no longer needed by the federal government. Policy 66 of the City's General Plan states: "The portion of Trinidad Head not needed by the Coast Guard should be transferred to the City of Trinidad. The area should be kept in its natural state with hiking trails and vista points. Public vehicular access should only be allowed as far as the existing harbor overlook." The public recreation and access policies of the County LCP segment provide similar guidance.

Section 30250 of the Coastal Act requires new residential, commercial, or industrial development to be located in or near existing developed areas or in areas with adequate public services if it will have no adverse effects on coastal resources. The proposed project is a recreational and open space use and thus is not subject to the above requirement of Section 30250. Adequate public services are available to serve the project, and it is consistent with the provisions of both LCPs that have a bearing on the property.

F. Archeological Resources. Trinidad Head is within the territory of the Coast Yurok Indians, and was and is of cultural significance. The Head was used for spiritual purposes and as a burial ground for the old people. The peninsula itself supported a village called Tsurai, which means "Mountains by the Sea". The Head is not currently used for traditional purposes, however. Archeological surveys on the Head in 1976 and 1982 did not reveal any archeological resources or sites. However, only about 20% of the site was surveyed, due to the dense underbrush away from the existing roads and paths. It is possible that such resources could be encountered during construction of improvements such as trails and picnic areas.

Section 30244 of the Coastal Act states that reasonable mitigation measures shall be required where development would adversely impact archeological or paleontological resources. BLM will include a stipulation in its patent deed to the City to address the possibility of encountering archeological resources during construction. It provides that unsurveyed areas shall be surveyed by a qualified archeologist after vegetation removal and prior to construction. If cultural resources are found during the survey or during construction, a qualified BLM official will evaluate these resources and require mitigation measures to protect them, if necessary. With this mitigation measure, the project is consistent with Section 30244.

G. Visual Resources. The visual setting in Trinidad includes rugged coastal headlands and islands, beaches and surf, the vast expanse of ocean, the small harbor with fishermen unloading their catch, and homes climbing up the hillside. Low-density residential development patterns preserve a small town character. Trinidad Head is prominent in the view from town, the harbor, and coastal trails. Conversely, the Head affords an excellent view back at the harbor, ocean, and the rocky shoreline. From the Head, sightseers can observe marine resources, including seals, whales, shorebirds, and other wildlife. Project improvements for low-intensity recreation, such as trails, picnic areas, and vista areas, will have little or no visual impact.

Serial No. CA 13096

# The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS

City of Trinidad, California,

is entitled to a Land Patent pursuant to the Act of June 14, 1926, 44 Stat. 741, as amended, 43 U.S.C. 869 (1976), for the following described land:

Humboldt Meridian, California

T. 8 N., R. 1 W.,

Sec. 26, Lot 4;

containing 46.94 acres.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the above named claimant the land above described for recreational purposes only; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant, and to its successors, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES from the land so granted:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States, Act of August 30, 1890, 26 Stat. 391, 43 U.S.C. 945;
2. All mineral deposits in the land so patented, and to it, or persons authorized by it, the right to prospect, mine, and remove such deposits from the same under applicable law;
3. That right-of-way and all appurtenances thereto constructed by the United States through, over, or upon the land herein described for the existing roads, telephone line, electrical transmission line, and water pipeline pursuant to permit No. CA 13095 issued to the United States Coast Guard, pursuant to Sec. 507 of the Act of October 21, 1976, 43 U.S.C. 1767, and the right of the United States, its agents and employees to

Patent Number

04-83-0056

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maintain, operate, repair or improve the same so long as is needed or used for or by the United States; and further reserving that right for visibility of the aid-to-navigation light located on Lot 6 said Sec. 26 and the operation of the antennas located on Lot 5 said Sec. 26, wherein no structures or other improvements may be erected on the land so granted which would interfere with the operation of the antennas or obstruct the arc of light.

Provided, that, title shall revert upon a finding, after notice and opportunity for a hearing, that, without the approval of the authorized officer:

1. The patentee or its approved successor attempts to transfer title to or control over the land to another;
2. The land has been devoted to a use other than that for which the land was conveyed;
3. The land has not been used for the purpose for which it was conveyed for a 5-year period; or
4. The patentee has failed to follow the approved development plan or management plan;

Provided, further, that the Secretary of the Interior, or his delegate, may take action to revest title in the United States if the patentee directly or indirectly permits its agents, employees, contractors, or sub-contractors (including without limitation leasees, subleasees, and permittees) to prohibit or restrict the use of any part of the patented land or any of the facilities thereon by any person because of such person's race, creed, color, sex, or national origin.

Serial No. CA 13094

The grant of the herein described lands is subject to the following reservations, conditions, and limitations:

- (1) The patentee or his (its) successor in interest shall comply with and shall not violate any of the terms or provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 241), and requirements of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant thereto (43 CFR 17) for the period that the lands conveyed herein are used for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits.
- (2) If the patentee or his (its) successor in interest does not comply with the terms or provisions of Title VI of the Civil Rights Act of 1964, and the requirements imposed by the Department of the Interior issued pursuant to that title, during the period during which the property described herein is used for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits, the Secretary of the Interior or his delegate may declare the terms of this grant terminated in whole or in part.
- (3) The patentee, by acceptance of this patent, agrees for himself (itself) or his (its) successors in interest that a declaration of termination in whole or in part of this grant shall, at the option of the Secretary or his delegate, operate to revert in the United States full title to the lands involved in the declaration.
- (4) The United States shall have the right to seek judicial enforcement of the requirements of Title VI of the Civil Rights Act of 1964, and the terms and conditions of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant to said Title VI, in the event of their violation by the patentee.
- (5) The patentee or his (its) successor in interest will, upon request of the Secretary of the Interior or his delegate, post and maintain on the property conveyed by this document signs and posters bearing a legend concerning the applicability of Title VI of the Civil Rights Act of 1964 to the area or facility conveyed.
- (6) The reservations, conditions, and limitations contained in paragraphs (1) through (5) shall constitute a covenant running with the land, binding on the patentee and his (its) successors in interest for the period for which the land described herein is used for the purpose for which this grant was made, or for another purpose involving the provision of similar services or benefits.
- (7) The assurances and covenant required by sections (1)-(6) above shall not apply to ultimate beneficiaries under the program for which this grant is made. "Ultimate beneficiaries" are identified in 43 CFR 17.12(h).



IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Sacramento, California  
the TWENTY-FOURTH day of APRIL in the year  
of our Lord one thousand nine hundred and EIGHTY-THREE  
and of the Independence of the United States the two hundred  
and SEVENTH

By

*[Signature]*  
Deputy State Director, Operations  
California State Office

04-83-0056

Patent Number

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Serial Number

CA 13094

CERTIFICATE

Act(s) of June 14, 1926, as amended, 44 Stat. 741, 43 U.S.C. 869 (1976)

Entryman City of Trinidad, California

has (have) complied with the requirements of the above Act(s) for the following-described lands:  
(describe the land as it will appear in the patent)

Humboldt Meridian, California

T. 8 N., R. 1 W.,

Sec. 26, Lot 4;

in the County of Humboldt, and containing 46.94 acres.

NOW, THEREFORE, BE IT KNOWN, that patent may issue to the grantee(s) named herein, subject to the following exceptions, reservations, and restrictions:

A-1

B-4

Special: EXCEPTING AND RESERVING TO THE UNITED STATES from the land so granted that right-of-way and all appurtenances thereto constructed by the United States through, over, or upon the land herein described for the existing roads, telephone line, electrical transmission line, and water pipeline pursuant to permit No. CA 13095 issued to the United States Coast Guard, pursuant to Sec. 507 of the Act of October 21, 1976, 43 U.S.C. 1767, and the right of the United States, its agents and employees to maintain, operate, repair or improve the same so long as is needed or used for or by the United States; and further reserving that right for visibility of the aid-to-navigation light located on Lot 6 said Sec. 26 and the operation of the antennas located on Lot 5 said Sec. 26, wherein no structures or other improvements may be erected on the land so granted which would interfere with the operation of the antennas or obstruct the arc of light.

Special provisions attached.

(Signature of Authorized Officer)

APR 22 1983

Deputy State Director, Operations  
California State Office

(Date)

(Title)

Patent posted:

RECREATION AND PUBLIC PURPOSES ACT  
PATENT RESERVATIONS, CONDITIONS, AND LIMITATIONS

Provided, that, title shall revert upon a finding, after notice and opportunity for a hearing, that, without the approval of the authorized officer:

- (1) The patentee or its approved successor attempts to transfer title to or control over the lands to another;
- (2) The lands have been devoted to a use other than that for which the lands were conveyed (for recreational purposes);
- (3) The lands have not been used for the purpose for which they were conveyed for a 5-year period; or
- (4) The patentee has failed to follow the approved development plan or management plan.

Provided, further, that the Secretary of the Interior, or his delegate, may take action to revest title in the United States if the patentee directly or indirectly permits its agents, employees, contractors, or subcontractors (including without limitation lessees, sublessees, and permittees) to prohibit or restrict the use of any part of the patented lands or any of the facilities thereon by any person because of such person's race, creed, color, sex, or national origin.

The grant of the herein described lands is subject to the following reservations, conditions, and limitations:

- (1) The patentee or its successor in interest shall comply with and shall not violate any of the terms or provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 241), and requirements of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant thereto (43 CFR 17) for the period that the lands conveyed herein are used for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits.
- (2) If the patentee or its successor in interest does not comply with the terms or provisions of Title VI of the Civil Rights Act of 1964, and the requirements imposed by the Department of the Interior issued pursuant to that title, during the period during which the property described herein is used for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits, the Secretary of the Interior or his delegate may declare the terms of this grant terminated in whole or in part.
- (3) The patentee, by acceptance of this patent, agrees for itself or its successors in interest that a declaration of termination in whole or in part of this grant shall, at the option of the Secretary or his delegate, operate to revest in the United States full title to the lands involved in the declaration.
- (4) The United States shall have the right to seek judicial enforcement of the requirements of Title VI of the Civil Rights Act of 1964, and the terms and conditions of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant to said Title VI, in the event of their violation by the patentee.

PATENT No. 04-83-0056

APR 24 1983

- (5) The patentee or its successor in interest will, upon request of the Secretary of the Interior or his delegate, post and maintain on the property conveyed by this document signs and posters bearing a legend concerning the applicability of Title VI of the Civil Rights Act of 1964 to the area or facility conveyed.
- (6) The reservations, conditions, and limitations contained in paragraphs (1) through (5) shall constitute a covenant running with the land, binding on the patentee and its successors in interest for the period for which the land described herein is used for the purpose for which this grant was made, or for another purpose involving the provision of similar services or benefits.
- (7) The assurances and covenant required by sections (1)-(6) above shall not apply to ultimate beneficiaries under the program for which this grant is made. "Ultimate beneficiaries" are identified in 43 CFR 17.12(h).

PATENT No. 04-83-0056

APR 24 1983